

SABEA Newsletter

September 28 2020 Vol. 3 Edition 2



Notes from Bruce's Desk

September 24, 2020

From Bruce Hoffmann, SABEA President

Welcome back for real!

Well here we are! Back at school and back to work. Work looks a lot different than it did the last time our hallways were full of students. CTE students attending class two or three days a week and doing the rest of their learning at home. Our ELD students back to a full day/full week schedule while spaced apart to discourage touching. Students eat lunch at their desks in their classrooms. We commandeered additional classroom spaces from meeting rooms once off limits. All activities that cram lots of students together are put on hold. Arrivals and dismissals happen on

staggered schedules through specific doors so students can keep their distance. Our new world..... not a new normal.

We'll be ok. I know it, I feel it! I see it! I somehow know that students and staff are smiling behind their mask. We are happy to be back and are doing our best to accept the social comradery..... even at 6 feet apart.

Thank you everyone for doing your part.

Welcome back! Masks on, Wash your hands, Sanitize!

Stay well.

--Bruce



COVID-related: Additional protocols for this year

What is FMLA, and how do you qualify?

Some individuals may be eligible to request a leave.

Currently, there is no State or Federal law that provides for paid leave in the situation in which an employee is living with a family member (including elderly and newborns) who the employee is worried about exposing to health concerns related to returning to school.

At this point in time, if your only option is to remain home with your newborn due to immunity or other medical concerns, you would have the option to utilize a Family Medical Leave under the Family Medical Leave Act (FMLA). The FMLA entitles you to a total of 12 weeks (in a year's time) of unpaid, job and health insurance protected medical leave due to a serious health condition of you, your child or qualified family members. At the same time that FMLA would begin, you should also be able to utilize up to 20 sick days from your personal leave accrual.

Please see the relevant language below from the Faculty Association Contract Article 6:

“6.1 SICK LEAVE (PERSONAL ILLNESS OR INJURY)

Fifteen (15) days will be granted after one day of service for a 10-month unit member who works the full 10 months with unlimited accumulation. The days will be increased on a monthly pro-rated basis for those unit members employed 11 or 12 months each year with unlimited accumulation. The unit members transferring to BOCES from one of the component school districts pursuant to Education Law will be credited with the amount of sick leave with which they were credited in that school district at the time of

the transfer. Sick leave due to pregnancy will be treated in the same manner as any other sick leave.

6.1.1 Each unit member shall be notified in writing prior to September 30 as to the number of accumulated sick days.

6.1.2 For serious illness in immediate family or nearest relative, leave may be taken up to twenty (20) days per year. These days will be deducted from accumulated sick days. Immediate family is the brother, sister, parents, grandparents, spouse, child or grandchild of the member or his or her spouse, or anyone acting as a guardian or anyone residing with the unit member. The definition of immediate family may be expanded in individual circumstances at the District Superintendent's discretion.

6.1.3 After five (5) consecutive workdays of absence due to personal illness unit members may be required to submit a statement from their personal physician certifying they are able to return to work.”

In order to be granted the leave you request, you would need to submit a letter to HR stating the request for a medical leave of absence, the dates in which you would be on leave, and have a physician's certification or note attached specifying the need to be out of work.

Below is a link to the Department of Labor's Q&A regarding the Families First Corona Virus Response Act (FFCRA) that entitles federal paid sick leave for certain situations.



<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

As a potential alternative, if you were able to show that due to COVID, your place of childcare or childcare provider is unavailable, you may be eligible for the paid sick leave. You would have to prove to the BOCES that your childcare providers are unavailable due to COVID closures or reasons relating to COVID. For example, if your normal childcare routine is to have a relative or babysitter watch your newborn during work hours, and they are unavailable due to COVID-related reasons or they are not offering their services due to COVID, you could attempt to submit for FFCRA leave.

The DOL guidance states that:

66. What is a “place of care”?

A “place of care” is a physical location in which care is provided for your child. The physical location does not have to be solely dedicated to such care. Examples include day care facilities, preschools, before and after school care programs, schools, homes, summer camps, summer enrichment programs, and respite care programs.

67. Who is my “child care provider”?

A “child care provider” is someone who cares for your child. This includes individuals paid to provide child care, like nannies, au pairs, and babysitters. It also includes individuals who provide child care at no cost and without a license on a regular basis, for example, grandparents, aunts, uncles, or neighbors.

Here is the link to the CDC site:

<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medicalconditions.html>

If I am home with my child because his or her school or place of care is closed, or child care provider is unavailable, do I get paid sick leave, expanded family and medical leave, or both—how do they interact?

You may be eligible for both types of leave, but only for a total of twelve weeks of paid leave. You may take both paid sick leave and expanded family and medical leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons. The Emergency Paid Sick Leave Act provides for an initial two weeks of paid leave. This period thus covers the first ten workdays of expanded family and medical leave, which are otherwise unpaid under the Emergency and Family Medical Leave Expansion Act unless you elect to use existing vacation, personal, or medical or sick leave under your employer’s policy. After the first ten workdays have elapsed, you will receive 2/3 of your regular rate of pay for the hours you would have been scheduled to work in the subsequent ten weeks under the Emergency and Family Medical Leave Expansion Act.

Please note that you can only receive the additional ten weeks of expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act for leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.”

Finally, contact your rep for a form letter you could use to request this kind of leave. The chart below should be used to help you understand how FMLA works.



Leaves of Absence Information

REASON	BENEFIT	SOURCE OF RIGHT
COVID + diagnosis	2 weeks (10 days) paid at regular rate	NYS*
Mandatory quarantine order by DOH or NYS	2 weeks pay (10 days) at regular rate	NYS*
Quarantine under advice of health care provider	2 weeks (10 days) up to \$511/day	Federal Law – Emergency Paid Sick Leave Act (EPSLA)**
Caring for family member who has COVID diagnosis or has been ordered to quarantine	2 weeks (10 days) 2/3rds pay up to \$200/day	Federal Law - EPSLA
Childcare: Unable to work OR telework because of loss of childcare due to COVID	2 weeks (10 days) 2/3rds pay up to \$200/day up to \$2,000 and then 10 weeks at 2/3rds pay up to \$200/day for a total of 12 weeks Keep health care benefit Can be taken intermittently <i>(currently in effect; this may be subject to appeal by the USDOL)</i> Must be employee for at least 30 days and have searched diligently for childcare	Federal Law – EPSLA & Emergency Federal Family & Medical Leave Expansion Act (EFMLEA)** <i>Note: this leave is complex and changing. There may be other requirements to qualify.</i>
Living with a family member (including elderly & newborns) who you're worried about (who may or may not have a health condition putting them at higher risk)	No federal or state law provides for paid leave in this situation. Check your contract to see if there is anything available.	
Individual's medical condition	May be eligible for ADA accommodation – talk to your doctor and begin interactive process with your employer to request an accommodation. Consult CDC website for list of conditions which may make one eligible for accommodation due to COVID *** <i>(Note: pregnancy itself is not necessarily grounds for an accommodation)</i>	Americans with Disabilities Act (ADA)

* Voluntary travel to a state on Cuomo's list of states with high infection rates will likely make you for these leaves

**These laws are only in effect until Dec 31, 2020 unless renewed by Congress

***CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-conditions.html>

REMINDER: Check your collective bargaining agreement for other leave provisions accommodations that may apply in any of the above situations.



Get to Know Your SABEA Executive Board

The executive board meets on a monthly+ basis to discuss issues within our organization, as well as news and events from NYSUT, AFT, NEA.



Bruce Hoffmann, President

sabeapresident@gmail.com

Thirty years ago I started my career at BOCES as a Teaching Assistant at the Myers Center. From that position, I took over as a teacher in the METS program at Myers...boy, I'm dating myself! From there I became a work-based coordinator at the Myers Center and then SAEC and now I'm back in the position at the Myers Center. I have experience in a variety of positions and at a variety of locations.

The start of the 2021 school year will be my second year as the president of SABEA. As president I preside over the Executive Board and Building Representatives meetings, represent SABEA at conventions, represent SABEA in talks with administration and appoint special committees as appropriate.



Karen Monastero, Executive Vice President

sabea.evp@gmail.com

I have worked with the Union in some form or other for most of my career first as a Representative, then as Secretary, and most recently as Executive Vice President. My primary responsibility includes filling in when the President is unavailable. Among other things you might look to me for are representation in harassment/compliance complaints and representation in disciplinary matters.





Chris Martino, Vice President for SRP
sabea2vpsrp@gmail.com
518-793-9375 (H) 518-321-8693 (Cell)

Hello all! I am your 2VP for SRP's. I've been with BOCES for 6 ½ years, a Union Rep for 1 year and currently been a 2VP for 2 years. I mainly cover grievances which are handled if you need help beyond what the rep can't do. But feel free to come to me with anything and I can point you in the right direction. I am located in building F.

I am a member of the NYSUT Next Gen committee, the NYSUT Local Action Project, NYSUT Representative Assembly Delegate, and the BOCES staffing committee, pending my appointment I have been nominated to serve on NYSUT's SRP Advisory Committee.



Owen Landrey: First Vice President,
Faculty Grievance Chair, SABEAVP1@gmail.com
(914) 772.7669

I've been teaching at BOCES for close to 12 years, first with the BEST program and AHS, and for the past many years with TSPN.

I have been involved with the union for 5 or so years, mainly as one of the SAEC ELD building reps, and most recently as the First Vice President. This role has required me to become a resource for all faculty contract-related questions. If you believe the contract is being violated, or have any contractual questions at all, don't hesitate to call or email. It is my privilege to serve you.



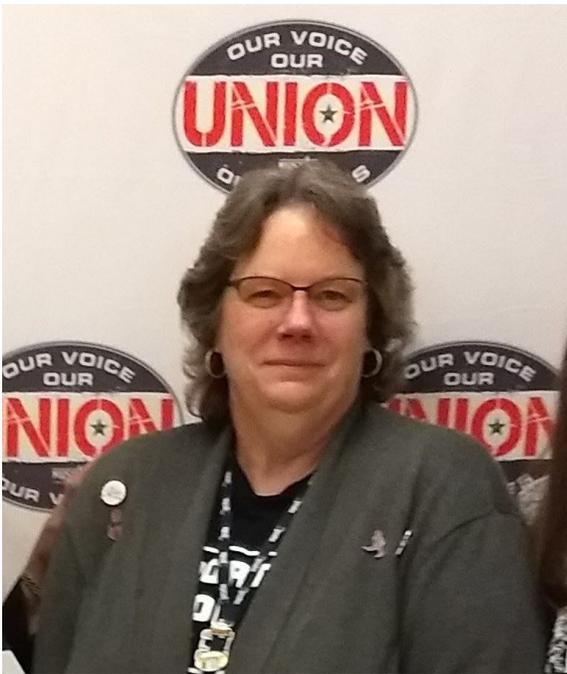
Nicole Mabey, Membership Chair

sabeamembership@gmail.com

518.321.6274

Greetings! I am beginning my twenty-second year at the BOCES and seventeenth year as a union leader. I was an ELA teacher in the CTE division for 16 years; for the last 6 years, I have been a Dean of Students at SAEC.

I have held many positions in the union, beginning with building rep, Corresponding Secretary, Executive Vice President, Delegate and currently Membership Chair. My current responsibilities include signing new members up, reporting membership data to NYSUT, assigning building reps, and helping members with local, state, and national benefits. After your building rep, I am your go-to person for any membership related questions.



Cindy Goodsell, Secretary

sabeasec@gmail.com

518-223-0039 (H) or Cell 518-796-6711

Hi all, I am your Sabea Secretary. As the SABEA Secretary I take the minutes for all of our meetings and set up the virtual meetings.

I am also a member of the NYSUT Local Action Project, Co Chair of our SABEA Women's Committee, and a member of The NYSUT's State Women's Committee, SABEA's Breast Cancer Team Leader, NYSUT Next Generation State Committee, and a NYSUT Representative Assembly Delegate. Pending my appointment I have been nominated to serve on NYSUT's Small & Rural Committee.

I also serve on the Sanford St Safety Committee, and their Reopening Committee.



Sandie Carner-Shafran, Labor Ambassador

sabea.labor.ambassador@gmail.com

518-580-1240(H) or Cell 518-424-7210

Hi Folks, I'm your SABEA Labor Ambassador. I attend the meetings where I represent us and learn the trends in bargaining, health insurance and education issues.

I'm also Co-Chair of our SABEA Women's Committee, Local Action Team and currently on the Myer's ReOpening team.

I serve as a Capital Region Teacher Center Policy BOD, attend the Saratoga Labor Council, and Southern Adirondack League of Teachers monthly meetings.

I am also a NYSUT Executive Board of Director, I serve on many of their committees. NYSUT Education & Learning Trust Trainer & Coordinator. Serve on the NYSUT State SRP Advisory BOD, NYSUT State Women's Committee, LGBTQ Committee & working closely with their Political Action Dept. and the NYSUT Officers.



Michele Morris, Treasurer

sabeatreasurer@gmail.com

Cell 518-321-4552

I am your SABEA Treasurer. This is year 20 for me as a Special Education Teacher. I worked at SAEC in the TSPN and BEST program for several years prior to moving to Myers where I am currently the CTE Consultant Teacher. Prior to teaching, my experience includes working in accounting for five years. I assumed the role of Treasurer in 2018 after previously serving as a Union Representative at SAEC.

Please don't hesitate to reach out if I can be of any assistance.



Get to Know Your SABEA Building Reps:

Reps are available for all members by email or voice contact. Look for your rep, & say hello!



Bob Bush
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SAEC: Building F (M W F)



Susan Ackerman
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SSTLC plus component districts this year



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Retirees



From the Executive Board

From Sandie Carner-Shafran, SABEA Labor Ambassador

Below are quick notes from a few of the meetings that I attended on SABEA Member's behalf.

Notes SALT Meeting on Zoom on the 3rd Thursday in September. I was having internet issues and will get the minutes to share.

Other News Looks like 20% cuts to education was challenged by a NYSUT Lawsuit. Your SABEA and NYSUT Officers are working to help mitigate what that might mean to us at BOCES. You may be called upon to help with activism in person or phone banks! Step up when asked.

NYSUT Has cancelled all in person meetings.

The NYSUT State SRP and CDRO Conference are being conducted by computer programs,

such as Teams or Zoom with more information soon.

Complete your Census & VOTE, it's your voice & chance to make a difference!

I'm Sticking with my Union!

Sandie Carner-Shafran

FYI: Just a note to remind members, I do some of this work as a member of the NYSUT BOD. NYSUT, not SABEA, pays for my expenses.



Contract Highlights for Faculty

From Owen Landrey, SABEA 1st VP - Faculty Grievance Chair

Did you know: Sick Leave

Faculty members will receive 15 person sick days every year, on top of any unused sick days accumulated from previous years of employment. Unused personal days will be converted to sick days at the start of the new school year. Every member will receive a total of how many sick days they have available to them.

6.1 SICK LEAVE (PERSONAL ILLNESS OR INJURY) Fifteen (15) days will be granted after one day of service for a 10-month unit member who works the full 10 months with unlimited accumulation. The days will be increased on a monthly pro-rated basis for those unit members employed 11 or 12 months each year with unlimited accumulation.

The unit members transferring to BOCES from one of the component school districts pursuant to Education Law will be credited with the amount of sick leave with which they were credited in that school district at the time of the transfer. Sick Leave Due To Pregnancy will be treated in the same manner as any other sick leave.

6.1.1 Each unit member shall be notified in writing prior to September 30 as to the number of accumulated sick days.

6.1.2 For serious illness in immediate family or nearest relative, leave may be taken up to twenty (20) days per year. These Days Will Be Deducted from accumulated sick days. Immediate family is the brother, sister, parents, grandparents, spouse, child or grandchild of the member or his or her spouse, or anyone acting as a guardian or anyone residing with the unit member. The definition of immediate family may be expanded in individual circumstances at the District Superintendent's discretion.

6.1.3 After five (5) consecutive work days of absence due to personal illness unit members may be required to submit a statement from their personal physician certifying they are able to return to work.

Important to note that when the contract says “the definition of immediate family may be expanded in individual circumstances at the District Superintendent's discretion” it allows for members to essentially appeal to the Superintendent if leave is requested for a member of the family that is not covered by the previous contract language.

Some takeaways:

1. Make sure you receive your letter including personal illness leave totals, and keep track of your sick time to ensure the totals match what BOCES is telling you. You can also look-up totals in Wincap.
2. If you need to take extended leave for a family member not covered in the language, appeal to the Superintendent and see if an accommodation can be made
3. Join the sick bank, which I went into detail on during this past June's newsletter.

Once again, please reach-out if you believe the contract is being violated in any way. At the start of every school year, I always like to remind people to make sure you have your contractually-obligated duty-free lunch and planning. If you don't have that, seek an immediate solution with your supervisor.

In solidarity,

~Owen Landrey (914) 772-7669

sabeavp1@gmail.com



Contract Highlights for SRPs

From Chris Martino, SABEA 2nd VP - SRP Grievance Chair:

Did you know: Transfers

ARTICLE 14 TRANSFERS

14.0.1 TRANSFER is defined as whenever a unit member moves from one assignment to another assignment (classroom, building or work site) in the same tenure area or civil service classification.

14.0.2 WORK SITE is defined as the building location. All buildings within one component school district will be considered one worksite for involuntary transfer purposes. Each year, the BOCES building locations will be mutually determined by BOCES and SABEA.

14.0.3 SENIORITY will be defined as the total time worked for BOCES within the civil service classification of the position impacted.

14.1 VOLUNTARY TRANSFERS 14.1.1 Unit members who agree to or desire a transfer to another assignment (classroom, building or work site) may apply for such a vacancy, in writing, to the office of Human Resource Services.

14.1.2 With the exception of clerical and operation and maintenance staffs, unit members assigned to instructional programs may apply and transfer, if selected, to another assignment in the same civil service classification, one time between July 1 and June 30 in any given year. Involuntary transfer as

defined in Article 14.2 and recall from the Civil Service Recall List will not constitute a transfer for the purposes of this article. At the request of the unit member and with the approval of the BOCES, and agreement with SABEA, this article may be waived.

14.1.3 Each unit member - applicant shall be notified of the decision by an Administrator.

14.1.4 Each vacancy will be posted for the purpose of seeking volunteers from within the total existing unit members.

14.2 INVOLUNTARY TRANSFERS 14.2.1 An involuntary transfer shall be defined as a transfer where a unit member objects to a change from his/her work location to another work location at another building.

14.2.2 When an involuntarily transfer is necessary, the BOCES will first seek volunteers from within the specific Civil Service position title involved. If there are no volunteers from within the specific Civil Service position title involved, then an involuntary transfer will be made.

14.2.3 Unit members not assigned to instructional programs shall be notified of an involuntary transfer or reassignment at least thirty (30) days before the

transfer or reassignment becomes effective. A unit member who objects to the involuntary transfer must notify the Human Resource Services Office within ten (10) days after he/she receives notification of the involuntary Transfer.

14.2.4 An involuntary transfer or reassignment shall be made only after a meeting between the unit member involved and the Assistant Superintendent for Administrative Services or designee, at which time the employee will be notified of the reason, therefore, in writing.

14.2.5 All involuntary transfers will be within specific Civil Service classifications. When involuntary transfer is made, the employee within the specific Civil Service classification with the least seniority at the work site where the involuntary transfer is to be made from will be transferred.

14.2.6 If the new work site requires at least fifteen (15) miles additional one-way driving from the unit



member's residence, the unit member will be paid daily mileage at the prevailing contract rate for the miles from the former work site to the new work site, on a round-trip basis.

14.2.7 In the event that the employee is offered a transfer back to the original work site, or one in a comparable location, and refuses, the daily mileage payment will cease. If the employee changes his/her place of residence after the involuntary transfer so that the travel distance from his/her residence to the new district work site is equal to or less than the distance from his/her original work site, the daily mileage payments will cease.

14.2.8 Involuntary transfer mileage reimbursement for eligible staff will be available for one year

following the involuntary transfer, unless otherwise ineligible due to the conditions in 14.2.7.

14.3 APPLICATION OF ARTICLE

14.3.1 For those receiving involuntary transfer mileage for the 2012-2013 school year or earlier, eligibility will be discontinued June 30, 2013.

Involuntary transfer mileage reimbursement for eligible staff will be available for one year following the involuntary transfer, unless otherwise ineligible due to the conditions in 14.2.7



Membership Update

From Nicole Mabey, SABEA Membership Chair

NEW MEMBERSHIP UPDATE!

Welcome back everyone! It's been a long time since many of us have been working in our buildings with students. It's really good to see everyone. The last six months have been very busy and so much of what we planned for changed many times. I am hopeful that we will be able to remain in school and put Covid behind us shortly.

As I do every month, I would like us all to take a moment and welcome the newest members of SABEA:

- Cheri Blondin, is a Special Education teacher at WSTLC.
- Melissa Echt is a Special Education teacher at WSTLC.

- Lauren Formanski is a Special Education teacher at WSTLC.
- Kristen Nochisaki is a New Visions Health teacher at Sandford Street.
- Dawn Neville is a Public Information Specialist at Ballard Road.
- Eric Johnson is a Graphic and Visual Communication teacher as SAEC.
- Mary Frawly is a Special Education teacher at the Myers Center.
- Ryan Turnbull is a TA working in the PE department at the Myers Center.
- Tara Burczeuski is a teacher of Speech and the Hearing Handicapped.
- Genevieve Balunis is a Biology teacher in the BEST program at SAEC.
- Jillian Blake is an Article 19 Literacy teacher.
- Leah Shea is an Administrative Assistant at the Ballard Road Conference Center.

- Kristen Gordon is a social Worker at WSTLC.
- Asenath Bryant is a Cosmetology teacher at SAEC.

Be well and be safe.

--Nicole Mabey

Please welcome our newest members and offer assistance whenever you can. Being a new or seasoned teacher and new to BOCES can be challenging, but Covid certainly doesn't make our jobs any easier. We can all use all the help we can get.

Secretary Update

From Cindy Goodsell- SABEA Secretary

Here is a list of the SABEA Executive Board Meeting and Representative Meeting Dates for this year.

As of right now all meetings will be held virtually. If you would like to attend a meeting and are not a rep let me know and I can send you an invite. sabeasec@gmail.com

Executive Board	Building Rep Meetings
September 2 @ 3:30	September 9 @ 3:30
October 7 @ 3:30	October 14 @ 3:30
November 4 @ 3:30	November 18 @ 3:30
December 2 @ 3:30	December 9 @ 3:30
January 6 @ 3:30	January 13 @ 3:30
February 3 @ 3:30	February 10 @ 3:30
March 3 @ 3:30	March 10 @ 3:30
April 14 @ 3:30	April 21 @ 3:30
May 5 @ 3:30	May 12 @ 3:30
June 2 @ 3:30	June 9 @ 3:30

Check it out! *NYSUT Member Benefits E-Newsletter* 

Please click the link to view the NYSUT Member Benefits e-newsletter. This publication includes embedded links that will allow you to learn more about our various endorsed programs and services.

<https://memberbenefits.nysut.org/about/member-benefits-direct>





Happenings around the Union (formerly Sunshine)

September 2020

Cindy goodsell, death in family

Susan Alber: retiree, passed away

Jim Blakely: mother passed away

Contact Laura Rychcik with news:

laurars31@gmail.com

Retiree Report



From Ruth Shippee Retiree Rep

A new section for retirees and those thinking or planning for retirement, watch for entries starting next month.

For this month please be aware of dates of seminars and deadlines for filing. See the letter from the NYSUT Retiree Counsel to follow.



NYSUT Retiree Council 10

October 2020

TIME SENSITIVE—

ATTENDEES MUST REGISTER BY THURSDAY, OCTOBER 22

Dear Local President:

NYSUT Retiree Council 10 in conjunction with Election District 10 will be hosting its 11th Pre-Retirement Seminar for New York State Teachers' Retirement System members virtually during October and November. I am asking you to **distribute this to your entire membership**. Individuals who are *within three to five years of retirement* will find great benefit in attending this seminar.

Speakers will include representatives from the *New York State Teachers' Retirement System and NYSUT Member Benefits Legal Services*. We are adapting to current conditions by making this annual event happen via ZOOM.

Workshops are:

Retirement Benefits—Saturday, October 24, 10 am to 12 noon—*NYS Teachers' Retirement System*—Cori Bichteman and Christine Wade

This workshop has assisted people in finding out part of the process they will go through to access their retirement benefits. It will provide information regarding the options they will have to select from as far as percentages they will receive monthly, how to see if they may be eligible for previous work credit among many other topics. This has been a very popular session according to previous participants.

Legal Considerations and Estate Planning—Saturday, November 14, 10 am to 12 noon—Steve Kramer from Feldman, Kramer & Monaco, P.C.

Steve is one of the premier lawyers in assisting our members in planning for the future. This session will bring you information on how to protect your assets, how to prepare for your future (and your heirs), what documents all of us should have in place and general legal assistance. Steve Kramer's firm has been assisting NYSUT members through the Member Benefit Legal Plan. Truly a must attend session from comments from previous attendees.

Social Security—Information will be sent after you register

Information will be provided regarding your Social Security benefits and what you need to consider when signing up for those benefits. When you indicate you are interested, a link will be sent to you by the RC 10 Secretary.

NYSUT Member Benefits—NYSUT Member Benefits Trust—Information will be sent after you register.

Have you visited the website at NYSUT that explains the many benefit packages available to our members? New programs are constantly being added. They range from insurances like auto, long-term care, dental and vision, as well as buying networks, Lifeline, legal and financial service packages. When you indicate you are interested, a link will be sent to you by the RC 10 Secretary.

To register for these sessions, please go to: <https://cvent.me/GVo9V7>

We ask you to join with us to help make this program, which will offer an important informational service to your membership, a great success.

I thank you in advance for your help and support.

In Solidarity,

Barbara

Barbara McCarthy
President
NYSUT Retiree Council 10

UpComing Events

T.B.D....here's hoping that it won't be too long.



EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at $\frac{2}{3}$ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

► ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- | | |
|---|---|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|---|---|

► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
[dol.gov/agencies/whd](https://www.dol.gov/agencies/whd)



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